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August 26, 2008

David Saliwanchik

David R. Saliwanchik, Patent Attorney

COMMUNICATION
Examining Group 1657
Patent Application
Docket No. GJE-7169

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Laura J. Schuberg
Art Unit : 1657
Applicants : Christopher Robin Lowe *et al.*
Serial No. : 10/520,323
Conf. No. : 5107
Filed : January 17, 2008
For : Monitoring of Cells

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

COMMUNICATION

Sir:

Applicants submitted an unsigned Declaration under 37 CFR §1.131 with the Amendment of July 17, 2008. Attached herewith is the Declaration executed by inventors Christopher Robin Lowe and Colin Alexander Bennett Davidson on August 1, 2008. Attempts to contact Craig J.L. Gershater have been unsuccessful thus far, though we will continue to try to locate him.

The Commissioner is hereby authorized to charge any fees under 37 CFR §§1.16 or 1.17 as required by this paper to Deposit Account No. 19-0065.

The applicants also invite the Examiner to call the undersigned if clarification is needed on any of this communication, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,



David R. Saliwanchik
Patent Attorney
Registration No. 31,794
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Gainesville, FL 32614-2950

DRS/la

Attachment: Declaration under 37 CFR §1.131, executed by C.R. Lowe and C.A.B. Davidson

Patent Application
Docket No. GJE-7169
Serial No. 10/520,323

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Laura Schuberg
Art Unit : 1657
Applicants : Christopher Robin Lowe, Craig J.L. Gershater, and Colin A.B. Davidson
Serial No. : 10/345,532
Conf. No. : 5107
Filed : January 5, 2005
For : Monitoring of Cells

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF CHRISTOPHER ROBIN LOWE, CRAIG J.L. GERSHATER, and COLIN
ALEXANDER BENNETT DAVIDSON UNDER 37 CFR 1.131

Sir:

We, CHRISTOPHER ROBIN LOWE, CRAIG J.L. GERSHATER, and COLIN ALEXANDER BENNETT DAVIDSON hereby declare:

THAT, we are co-inventors of the technology described and claimed in U.S. patent application Serial No. 10/520,323;

Being thus duly qualified, do further declare as follows:

THAT, we conceived of the subject matter of the above-referenced invention prior to May 1, 2002, as evidenced by the printouts of slides from an internal presentation given at a time prior to May 1, 2002, attached herewith as Exhibit A.

THAT, from a time prior to May 1, 2002, we worked diligently on this invention at least until the July 9, 2002 filing date of United Kingdom patent application No. 0215879.8, from which the subject application claims priority.

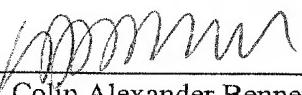
We hereby further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Further declarants sayeth naught.

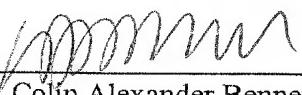
By: 
Christopher Robin Lowe

01.08.08

Date

By: 
Craig J.L. Gershater

Date

By: 
Colin Alexander Bennett Davidson

01.08.08
Date

EXHIBIT A

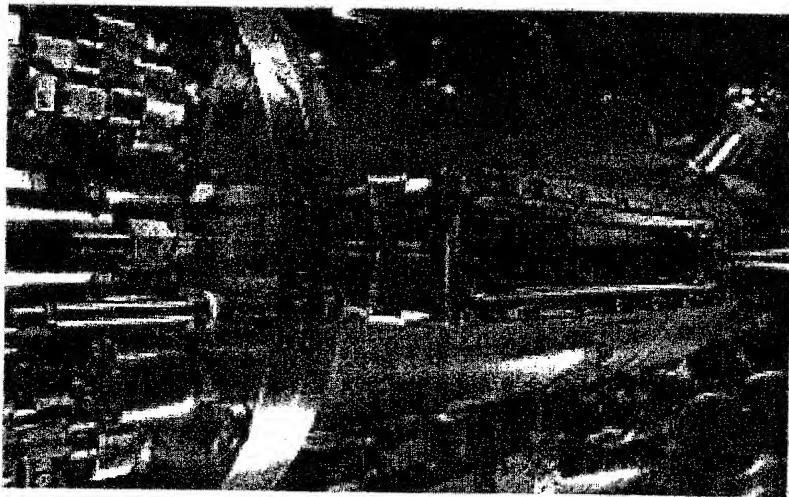
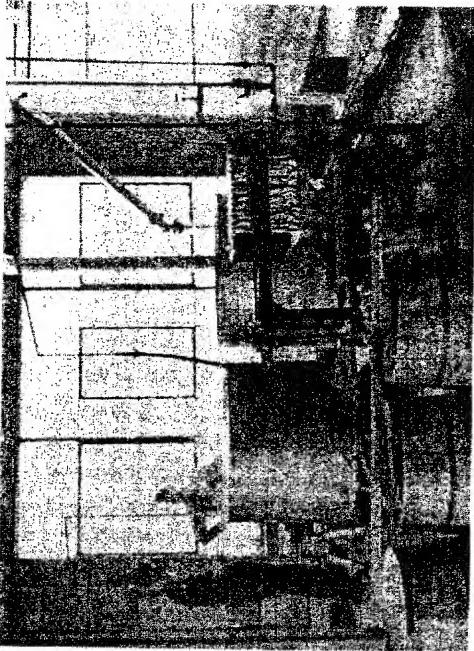
FERMENTER ON A CHIP: EPISODE 1

YOUNG
SCIENTIST
MOVES TO
CITY
TO FIGHT
PESSY
BACTERIA.

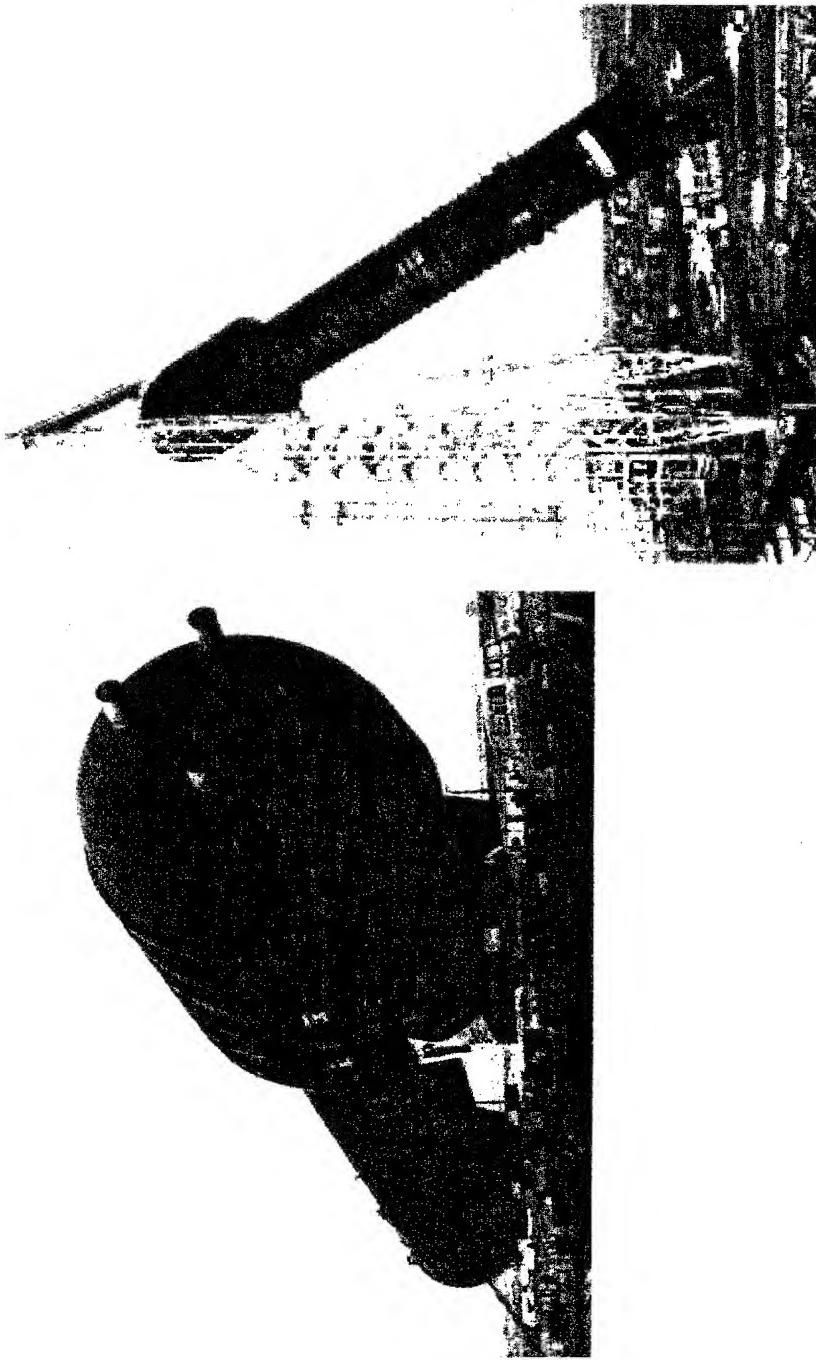
WITH GREAT
ACCELERATION,
HE CHASES
TO EVERY ALLEY IN EACH REACT
WELL, WITH DRIFTS, RUSHING TO
CROW
PROBLEMS.
GROWTH
KINETICS AND GENERALLY
BE BUG EAT.

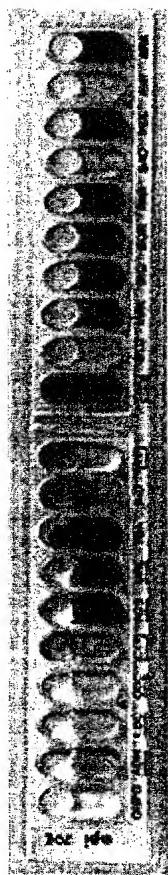
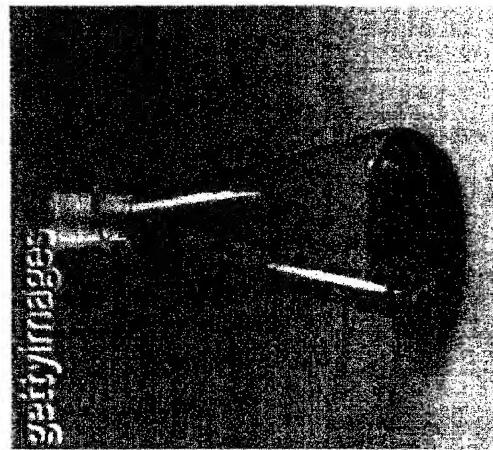
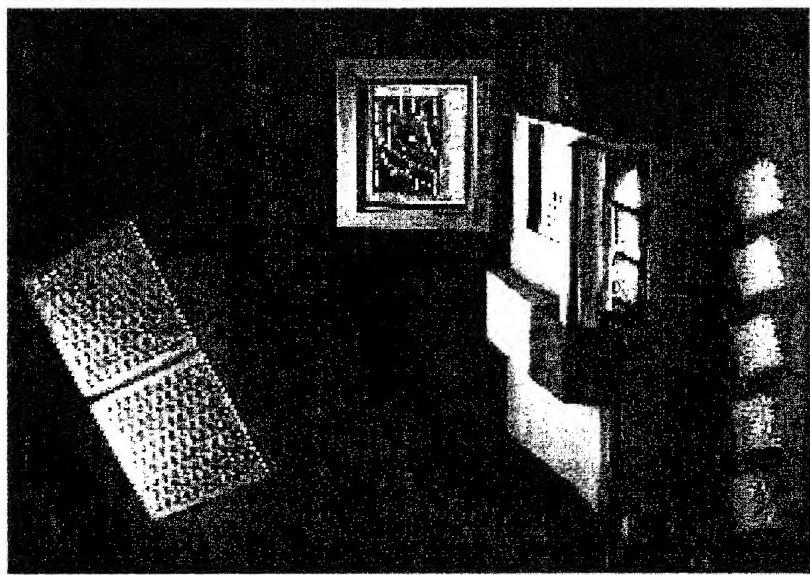
DASHED WITH HIS LIGHT SENSORS, THE
YOUNG SCIENTIST MOVES TO
INTERCEPT THEIR PESSY PLANS
BEFORE IT WAS TOO LATE, SMASHING
THE PROBLEM OF PH SENSING,
WALLOPING THE COALS OF
METABOLITE DETECTION, HE NOW
TRAVELS TO THE DEPTHS OF THE
DARK ROOM TO FACE HIS NEMESIS,
DEATH OXYGEN.

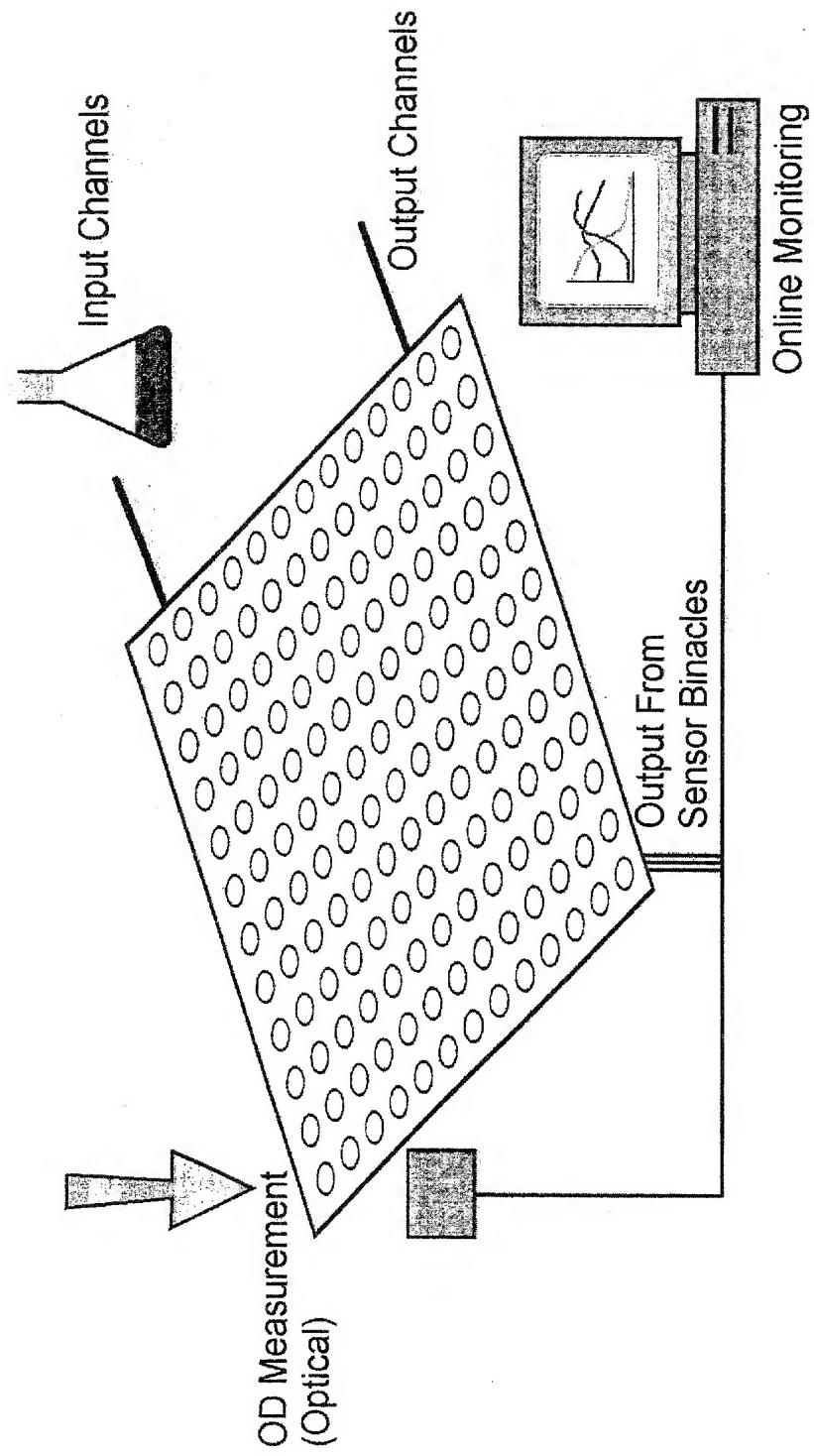
AND HE WOULD HAVE GOT AWAY
WITH IT TOO IF IT WASN'T FOR THOSE
PESSY BACTERIA...

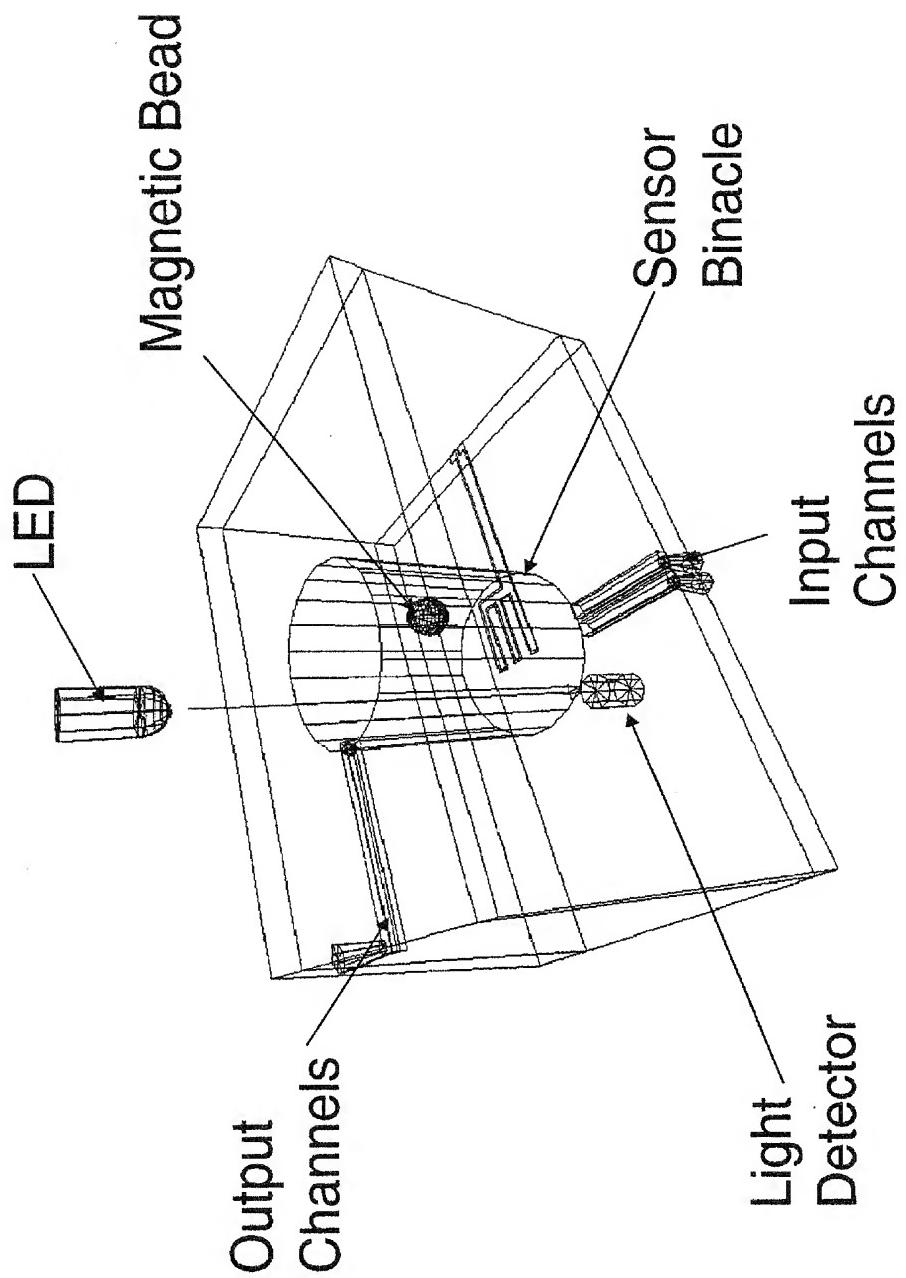


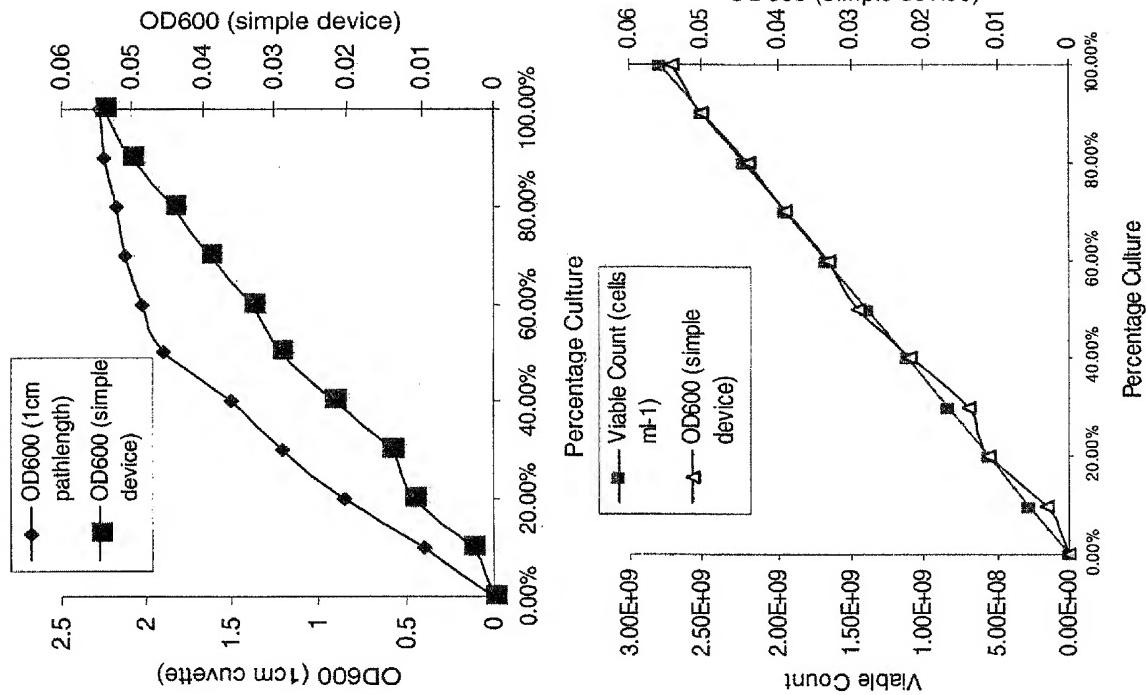
Classic Fermentation
Technology...

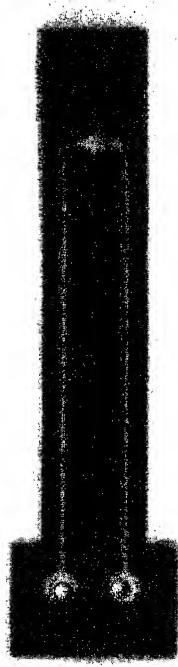




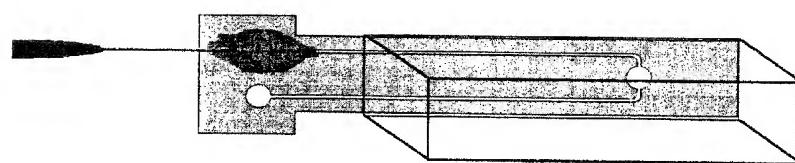
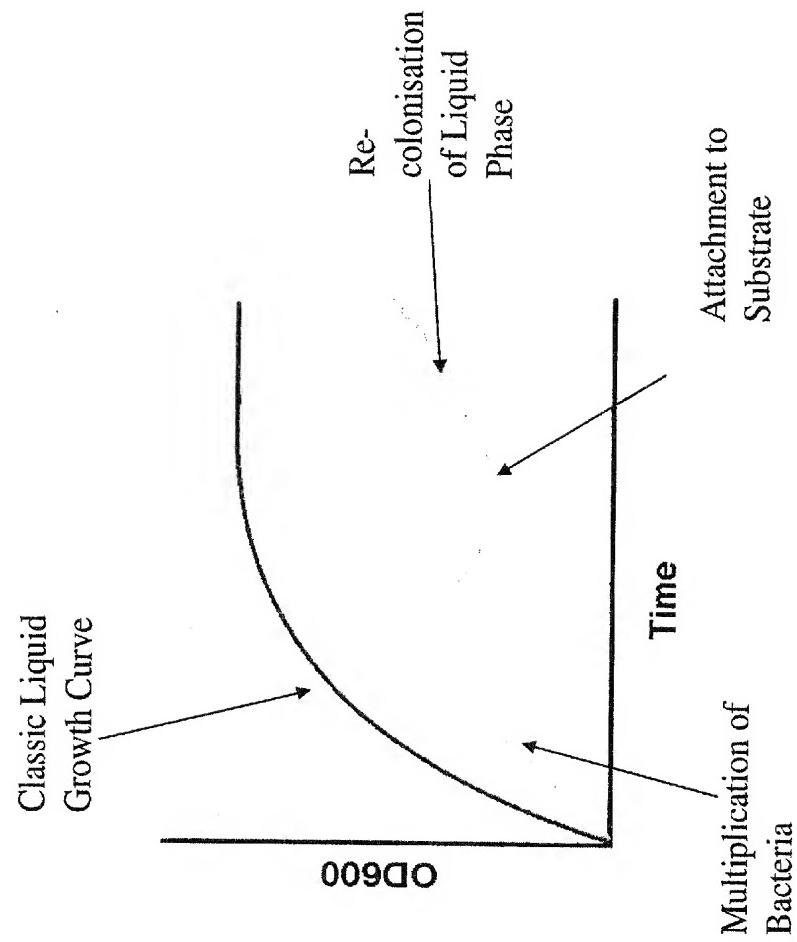


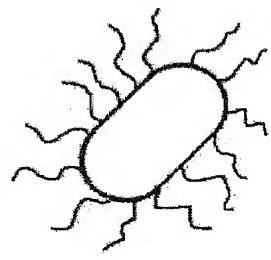




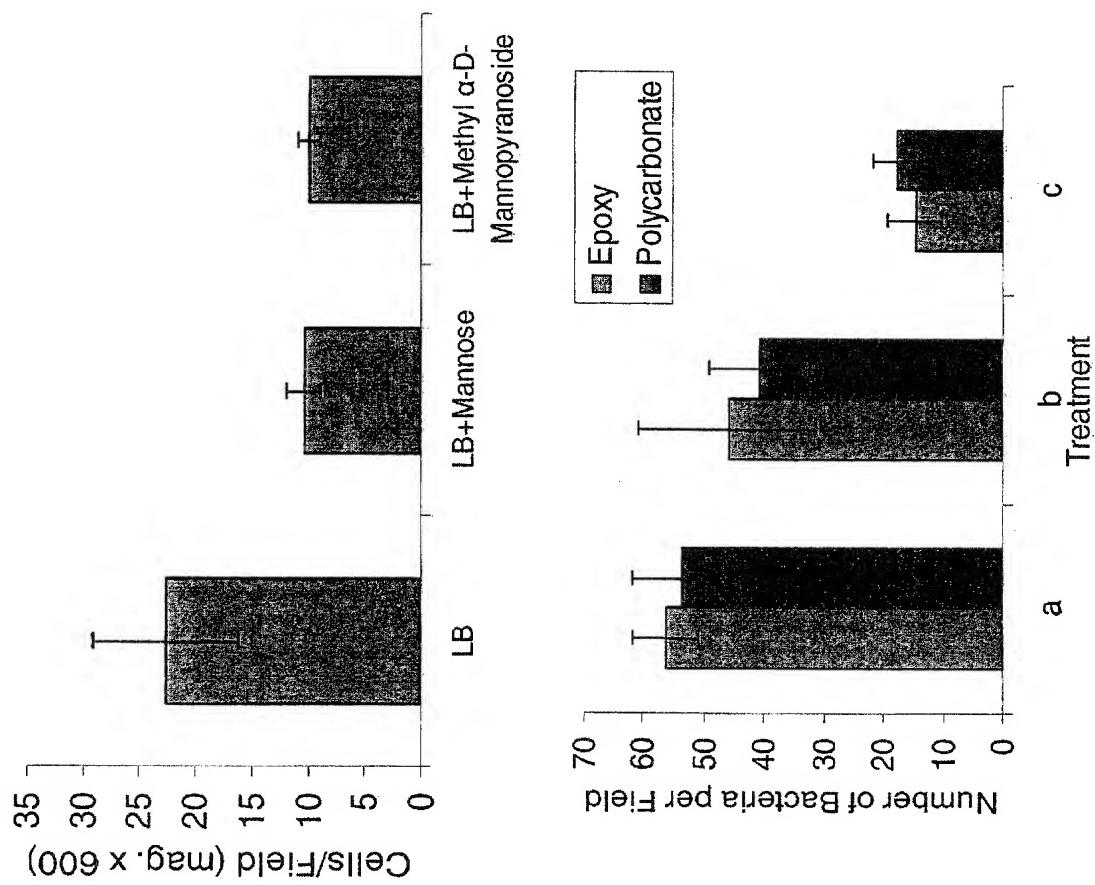


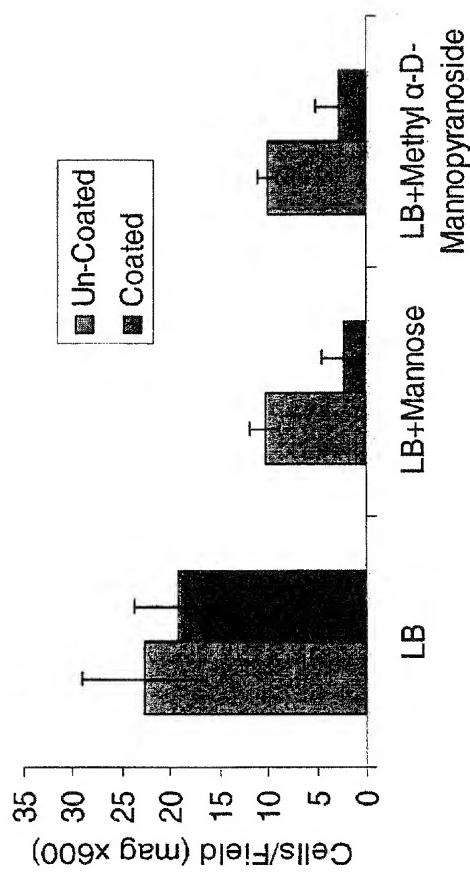
Classic Liquid
Growth Curve



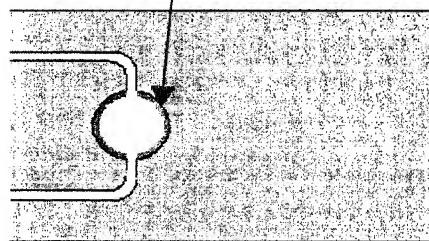


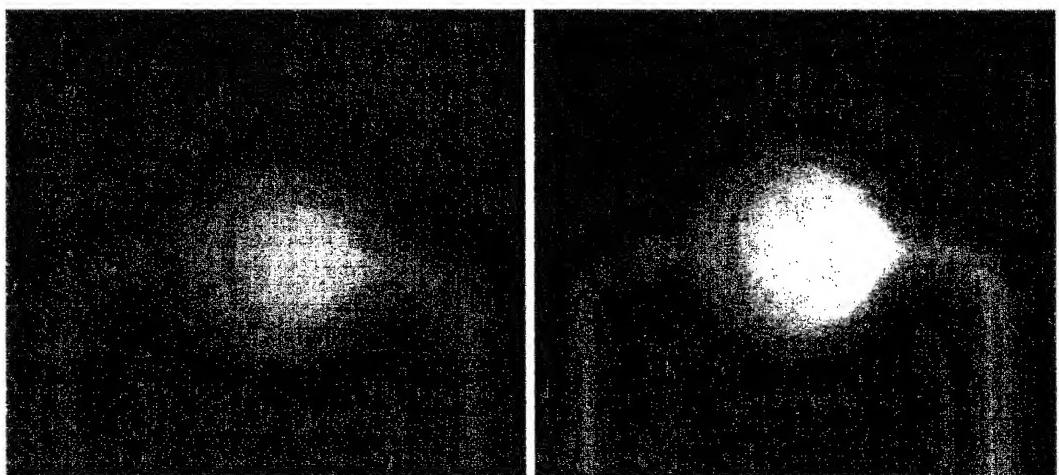
- Hydrophilicity
- Surface Energy
- Surface Smoothness
- Competition for Binding Sites

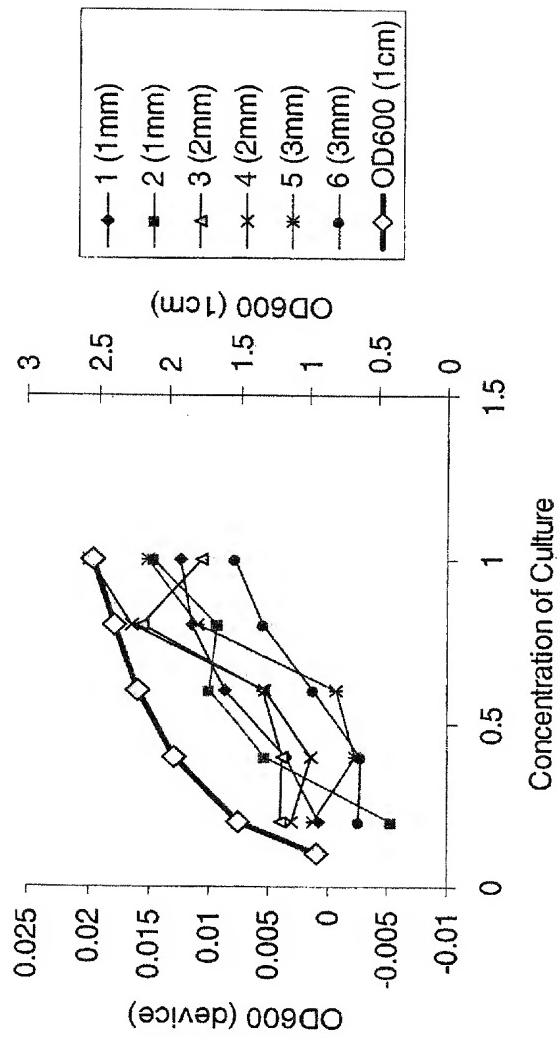
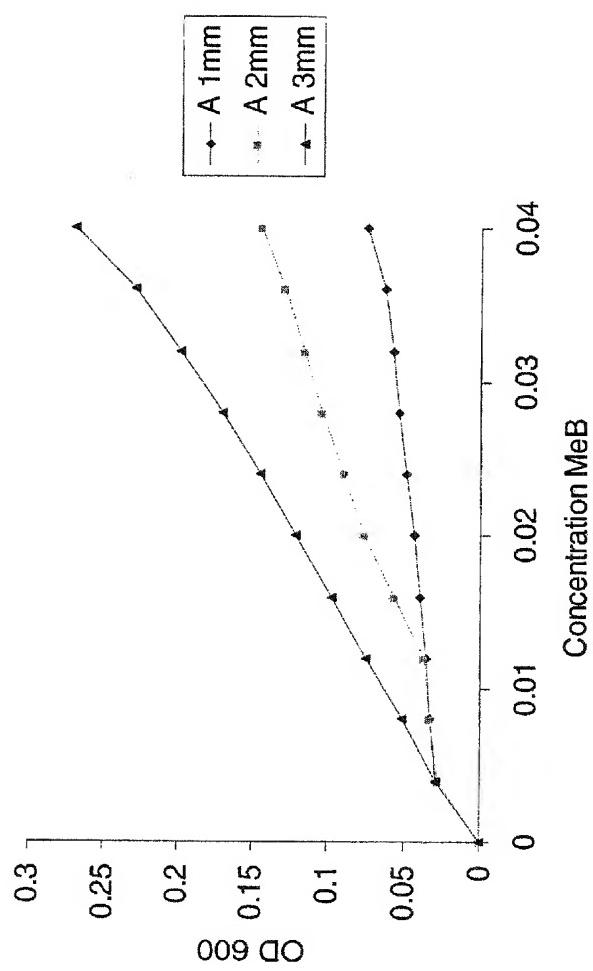


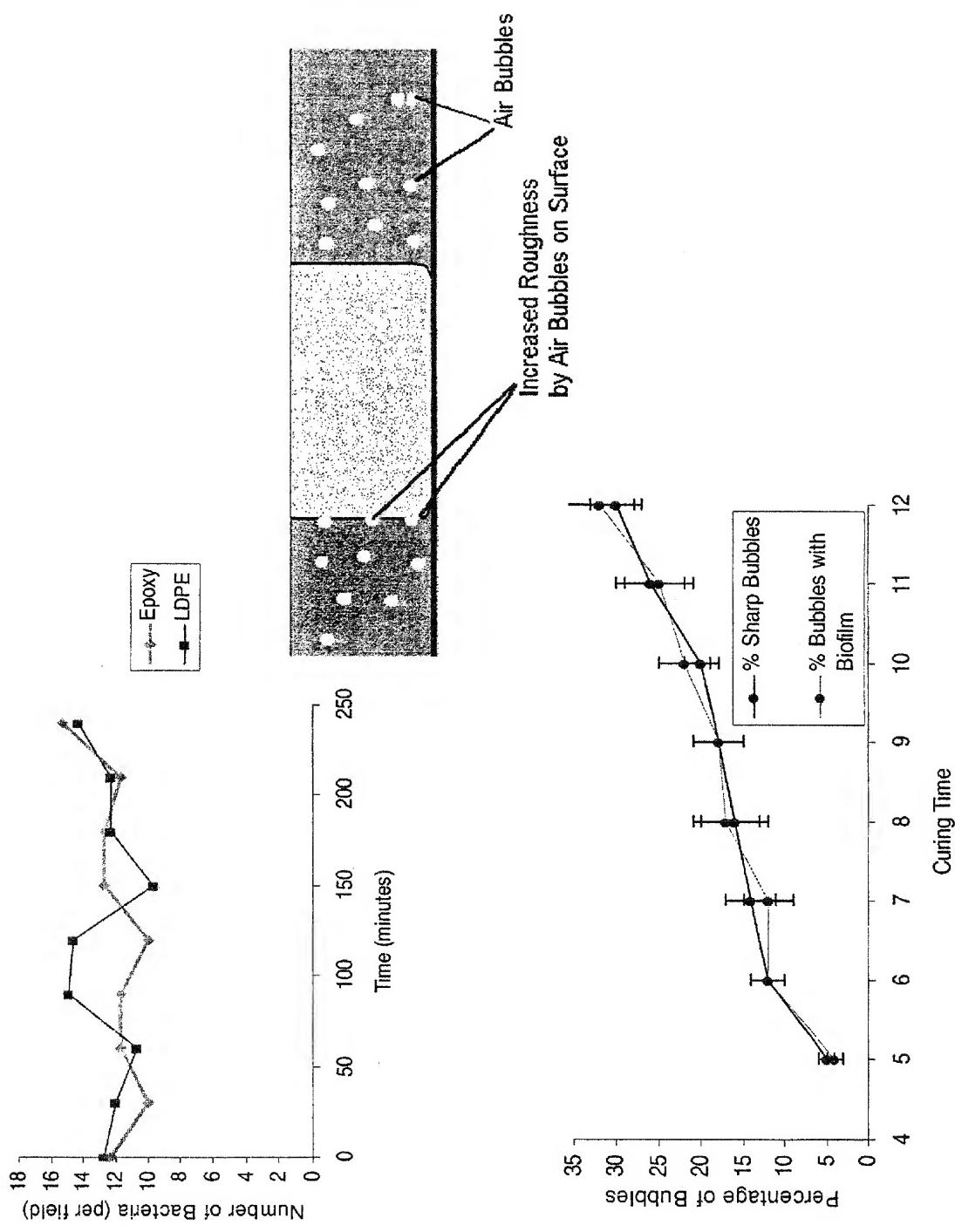


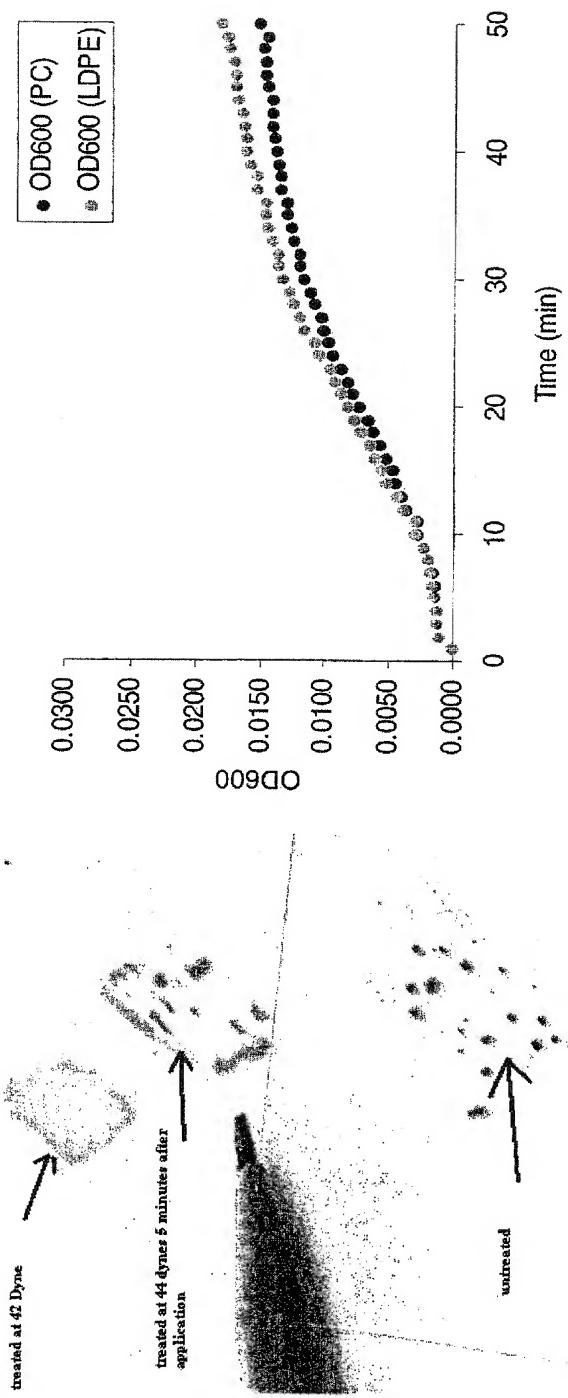
BUT There was still some attachment in the area in contact with the epoxy, most likely due to the physical conditions found there...

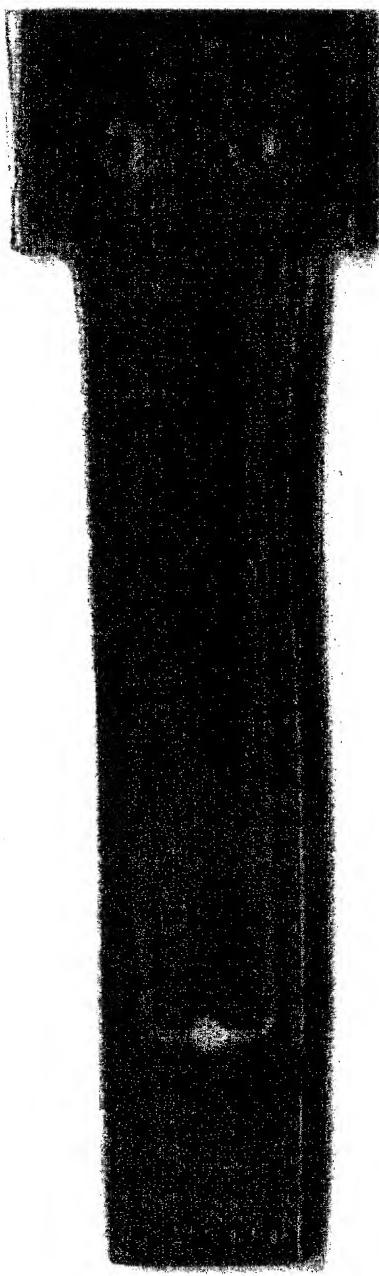
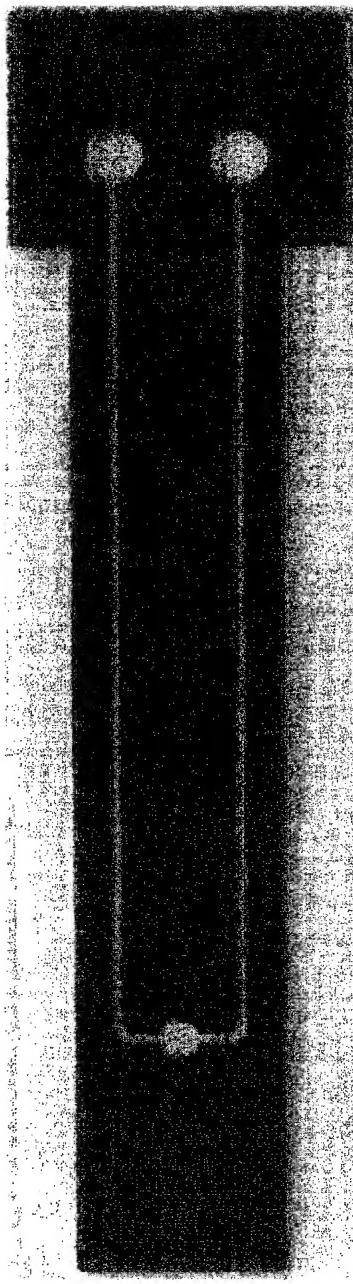


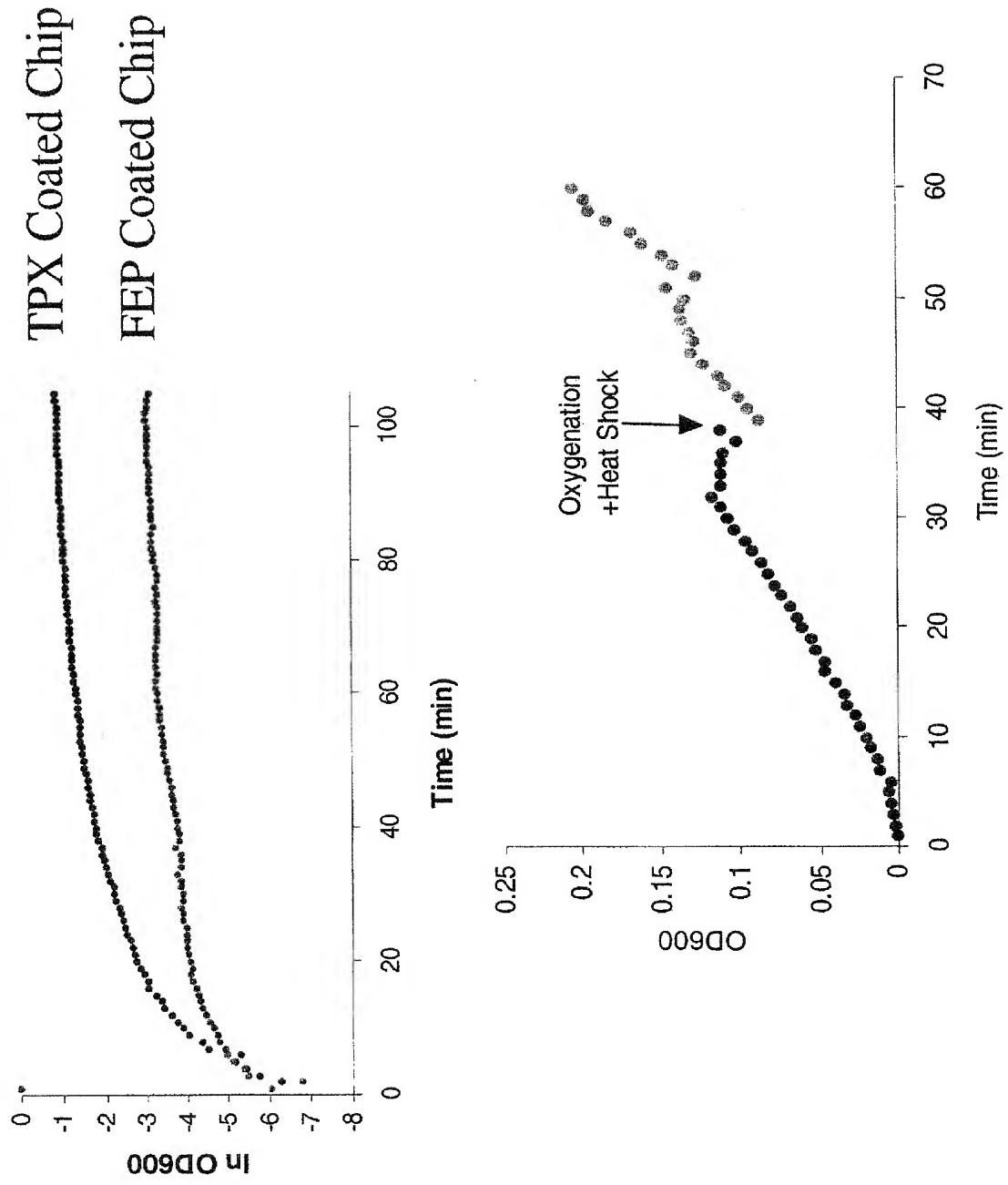


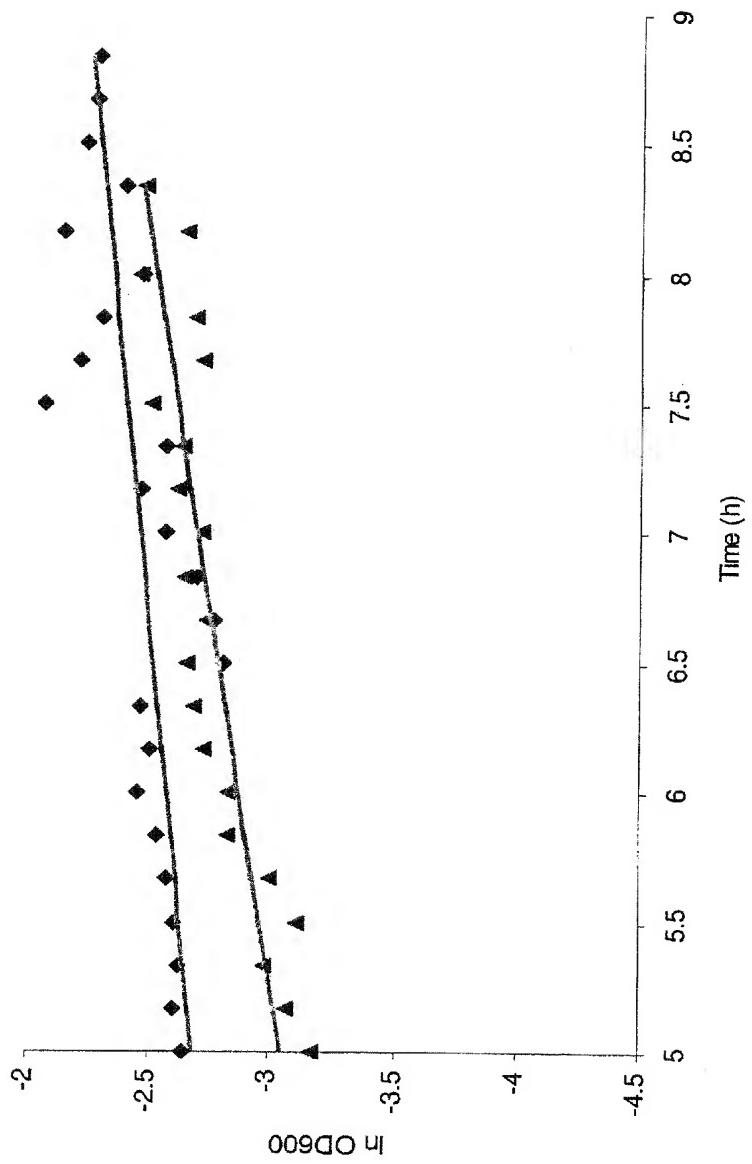


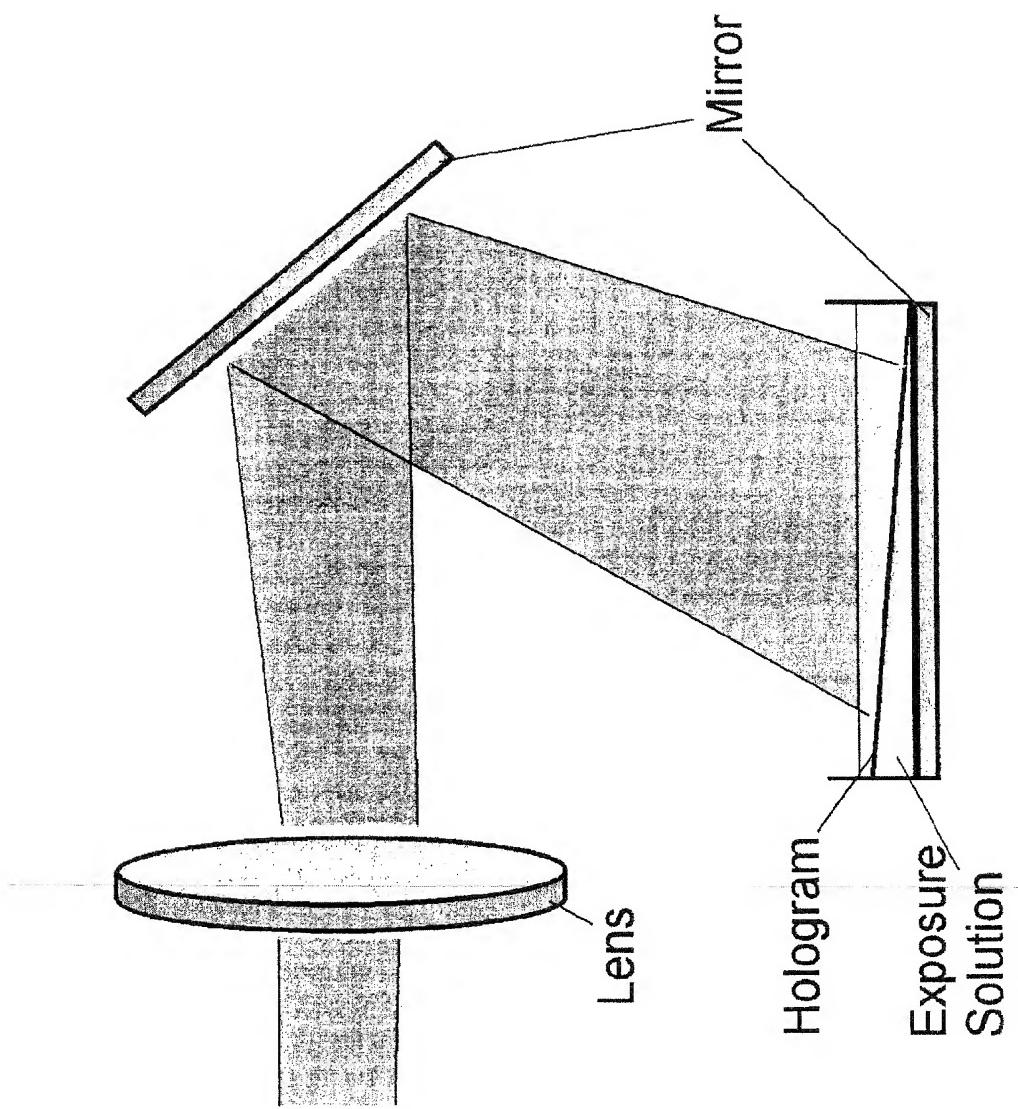


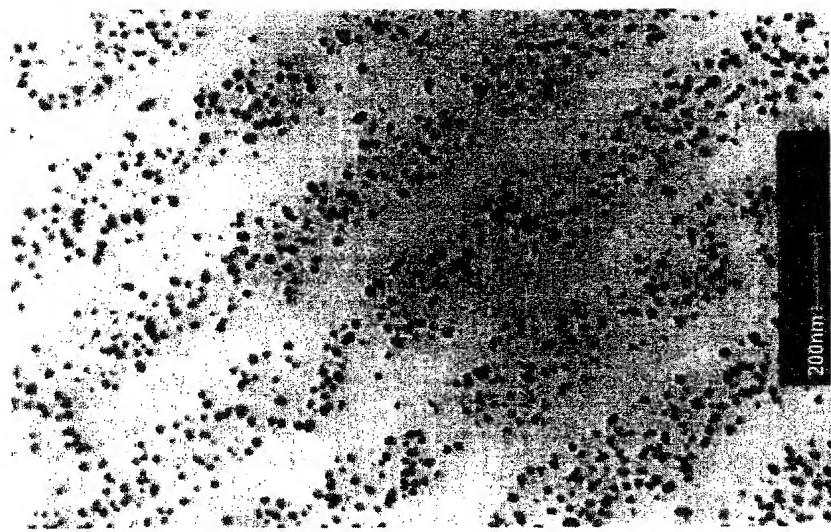
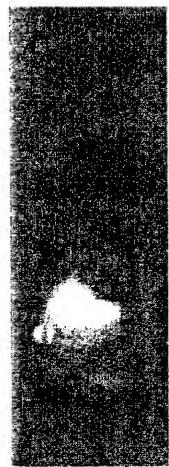












200nm

